



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Conrad et al.
Serial No.: 10/087,641
Filed: 03/01/02
Entitled: Improved Skin Substitutes And Uses Thereof

Group No.: 1651
Examiner: Davis

DECLARATION OF DR. B. LYNN ALLEN-HOFFMANN

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE., Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: May 7, 2004

By:

Mary Ellen Waite

I, Dr. B. Lynn Allen-Hoffmann, state as follows:

1. My present position is President and CSO of Stratatech Corporation. I am also a Professor at the University of Wisconsin-Madison.
2. I have reviewed the Final Office Action dated January 13, 2004 and the references cited therein, U.S. Pat. No. 5,989,837 and Yang et al., Artificial Organs 24(1):7-17 (2000).
3. I am an inventor of the '837 patent which was cited as prior art. It is my understanding that the Examiner has asserted that the '837 patent teaches culturing a dermal equivalent onto which keratinocytes have been seeded at an interface until the keratinocytes stratify. As support for this assertion, which is incorrect, the Examiner cites to Column 15, lines 20-39 of my previous patent. The pertinent text is as follows: